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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,987	01/24/2002	Saied Kazemi	PROCOM.021C1	4794

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EXAMINER

ENG, DAVID Y

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/056,987

Applicant(s)

KAZEMI ET AL.

Examiner

DAVID Y. ENG

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/25/2002</u> . | 6) <input type="checkbox"/> Other: ____  |

Applicants are requested to update the status of related applications on page 1 of the specification.

Claims 1-51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It appears that claim 11 is dependent on claim 8 instead of 7. Clarification is requested.

With respect to all independent claims, it is not clear whether the first and the second storage devices are components of the data storage system as recited in the claim combination or they are part of the multiple data storage to which the data storage system interfaces as recited in the preamble.

Scope of the independent claims is not clear. A communication redirector which is commonly for redirecting communication is recited for establishing session with client device and storage device. It is not clear why the communication redirector establishes a session with a storage device in response to a session establishment with a client. No functional value or improvement is seen.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brewer (USP 6,876,656) in view of Wang (USP 6,826,613).

With respect to all independent claims and claims 4-5, See at least Figure 3 and the corresponding description in Brewer. Brewer teaches:

a data storage system (Figure 3) that provides a single system interface for multiple data storage devices (storage devices 32), wherein the data storage system communicates with one or more client devices (clients 30) via a stateful protocol (see "protocol" at least in line 10 of column 8) and wherein the data storage system redirects (see "redirect" in abstract and at least Figures 5-9) data requests received from the one or more client devices to the multiple data storage devices, the data storage system comprising:

- a first storage device (one of the storage devices 32);
- a second storage device (the other ones of the storage devices 32); and
- a dynamic session redirector (storage manager 20) in communication with at least one client device via a stateful protocol, wherein the redirector is configured to establish at least a first stateful protocol session (inherent in network communication) with at least one client device, the dynamic session redirector is further configured to establish at least a second session with at least one of the first and second storage devices in response to the establishment of the first session (see at least the abstract).

The only difference is that Brewer did not specify whether the protocol he used is stateful protocol. See line 58 column 17 in Wang. Wang teaches that stateful protocol is well known in the art for establishing session for file transfer. From the teaching of Wang, it would have been obvious to a person of ordinary skill in the art to use stateful protocol in Brewer such that session can be established for information transfer.

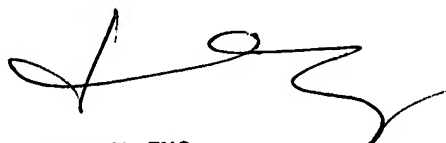
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As to claim 2, the system of Brewer is able to establish further sessions also.

As to claim 3, the storage devices in Brewer are also network attachable storage because they communicate via network in established sessions.

As to claims 6-7, see Figure 5 in Brewer. Brewer has more than one redirector.

As to claims 8-51, they do not define above the invention claimed in claims 1-7 and therefore are rejected for the same reasons.

A handwritten signature in black ink, appearing to read 'David Y. Eng', with a stylized, flowing script.

DAVID Y. ENG  
PRIMARY EXAMINER